

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT APPLICATION

In re PATENT APPLICATION of

Inventor(s): CATT ET AL

Appln. No.: 08

935,717

Group Art Unit: 1641

Examiner.: Portner

Atty. Dkt. 241939

PMS

R3248

Series Code ↑

Serial No. ↑

M#

Client Ref

Filed: September 23, 1997

Title: TEST KITS AND DEVICES

(Our Deposit Account No. 03-3975)

(Our Order No. 60113

241939

C#

M#

Date: July 7, 1999

Asst. Commissioner of Patents
and Trademarks
Washington, D.C. 20231



Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated January 7, 1999 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate.
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" verified statement filed: ☐ herewith. ☐ previously.

6. FEE CALCULATION

	Large/Small Entity		Fee Code
If box 1 above is X'd, see box 12 below first and decide: enter	\$300/150*	\$300	119/219
If box 2 above is X'd, see box 12 below first and decide: enter	\$300/150*	\$0	120/220
If box 3 above is X'd, see box 12 below first and decide: enter	\$260/130*	\$0	121/221
If box 4 above is X'd, enter nothing	- 0 - (no fee)		
7. Original due date: April 7, 1999			
8. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo)	\$110/\$55	115/215
	(2 mos)	\$380/\$190	116/216
	(3 mos)	\$870/\$435	117/217
	(4 mos)	\$1360/\$680	118/218
9. Enter any previous extension fee paid <input type="checkbox"/> previously since above original due date (item 7); <input type="checkbox"/> with concurrently filed amendment		+870	
10. Subtract line 9 from line 8 and enter: Total Extension Fee		-	
11. TOTAL FEE ATTACHED =		\$1170	

12. ☐ *Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Madison & Sutro LLP Intellectual Property Group

1100 New York Avenue, N.W.
Ninth Floor, East Tower
Washington, D.C. 20005-3918
Tel: (202) 861-3000
Atty/Sec: PNK/mah

By: Atty: Paul N. Kokulis

Reg. No. 16773

Sig:

Fax: (202) 822-0944

Tel: (202) 861-3503

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

07/08/1999 MSHIFERA 00000122 08935717

01 FC:117
02 FC:119

870.00 OP
300.00 OP